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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,373	12/17/2001	Robert Louis Vitale	GP-301381	2826

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CHRISTOPHER DEVRIES  
General Motors Corporation  
Legal Staff  
P.O. Box 300, Mail Code 482-C23-B21  
Detroit, MI 48265-3000

EXAMINER

TRAN, TAM D

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,373

Applicant(s)

VITALE ET AL.

Examiner

Tam D. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U. S.C. 103(a) as being unpatentable over Price R-W et al. (USPN 6052068) in view of Smith (USPN 5105179), hereinafter simply Price and Smith.

2. In regard to claim 1, 9, 21, Price R-W teaches a method for identifying and registering a vehicle, comprising: receiving and storing vehicle identification and registration information in a remote control unit (a vehicle); transferring the vehicle identification and registration information in the remote control unit (a vehicle) to the vehicle (a police car, interrogator) by wireless transmission (radio frequency); see Fig.1, Fig.2, col. 4 lines 1-14; comparing the information stored in the remote control unit with data stored in the vehicle; see col.4 lines 17-21; Price R-W does not teach displaying at least a portion of the vehicle identification and registration information on an electronic license plate. However, Smith teaches displaying at least a portion of the vehicle identification and registration information on an electronic license plate, see Fig.2, col.3 lines 50-67. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the electronic license plate of Smith into the vehicle

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identification system of Price R-W because a combination of Smith's electronic license plate and Price R-W's system would enable users changing information on the license plate wirelessly.

3. In regard to claim 2, Price R-W teaches a method for identifying and registering a vehicle, wherein said receiving includes downloading vehicle identification and registration information from an authorizing agency's database to a customer's personal computer. See col.6 lines 45-50.

4. In regard to claim 3, Price R-W teaches a method for identifying and registering a vehicle, wherein said downloading includes transmitting the vehicle identification and registration information to the personal computer over the Internet. See col.6 lines 45-50.

5. In regard to claim 4, Price R-W teaches a method for identifying and registering a vehicle, further including transmitting credit card information to the authorizing agency to pay a fee associated with receiving the vehicle identification and registration information. See col.3 lines 63-67.

6. In regard to claim 10, Price R-W teaches a method for identifying and registering a vehicle, wherein said remote control unit is an FOB (Vehicle). See Fig.1 and Fig.2.

7. In regard to claim 11, Price R-W teaches a method for identifying and registering a vehicle, wherein said remote control unit is a smart card (parking card, charge card). See col.4 lines 60-64.

8. In regard to claim 12, Price R-W teaches a method for identifying and registering a vehicle, further comprising an interface unit on the vehicle for communicating with said remote control unit. See Fig.1 and Fig.2.

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9. In regard to claim 13, Price R-W teaches a method for identifying and registering a vehicle, wherein said interface unit communicates with said remote control unit over wireless link (radio). See Fig.1 and Fig.2.

10. In regard to claim 14, Price R-W teaches a method for identifying and registering a vehicle, wherein said interface unit is a transponder. See Fig.3 and Fig.4.

11. In regard to claim 15, Price R-W teaches a method for identifying and registering a vehicle, wherein said at least one computer includes a comparator for comparing vehicle identification and registration information being received from said remote control unit with that stored in said at least one computer for updating said at least one computer if the vehicle identification and registration information is new. See col.4 lines 15-21.

12. In regard to claim 16, Price R-W teaches a method for identifying and registering a vehicle, further comprising a smart chip in said FOB (charge card). See col.4 lines 61-64.

13. In regard to claim 17, Price R-W teaches a method for identifying and registering a vehicle, wherein said FOB is a key FOB (charge card). See col.4 lines 61-64.

14. In regard to claim 18, Price R-W teaches a method for identifying and registering a vehicle, further comprising a smart chip in said smart card (charge card). See col.4 lines 61-64.

15. In regard to claim 19, Price R-W teaches a method for identifying and registering a vehicle, further comprising: a vehicle identification number tag coupled to said vehicle; and a smart chip embedded in said vehicle identification number tag for storing vehicle identification and registration information. See col.4 lines 61-64.

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16. In regard to claim 20, Smith teaches a method for identifying and registering a vehicle, wherein said electronic license plate comprises: a light emitting diode back panel; and a liquid crystal display front panel (a display). See Fig.2, col.3 lines 50-67.

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 7, are rejected under 35 U. S.C. 103(a) as being unpatentable over Price R-W (USPN 6052068) in view of Smith and further in view of Murakami et al. (USPN 6636145 B1), hereinafter simply Price R-W, Smith and Murakami.

18. In regard to claim 6, Price R-W teaches a method for identifying and registering a vehicle. Price R-W does not teach unlocking at least one door in the vehicle if the vehicle identification and registration information matches the data stored in the vehicle. However, Murakami teaches unlocking at least one door in the vehicle if the vehicle identification and registration information matches the data stored in the vehicle, see col.15 lines 33-37. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate vehicle un-lock system of Murakami into vehicle identification system of Price R-W because a combination of Murakami's system and Price R-W's system would allow user access to vehicle in situation of user losing card keys. See col.15 lines 25-30.

19. In regard to claim 7, Price R-W teaches a method for identifying and registering a vehicle. Price R-W does not teach unlocking an ignition system of the vehicle if the vehicle identification and registration information matches the data stored in the vehicle. However, Murakami teaches unlocking an ignition system of the vehicle (enable the vehicle for user) if the vehicle identification and registration information matches the data stored in the vehicle; see col.15 lines 33-37. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate vehicle un-lock system of Murakami into vehicle identification system of Price R-W because a combination of Murakami's system and Price R-W's system would allow user access to vehicle in situation of user losing card keys. See col.15 lines 25-30.

Claims 5, 8, are rejected under 35 U. S.C. 103(a) as being unpatentable over Price R-W (USPN 6052068) in view of Smith and further in view of Gehlot et al. (US 2002/0195490 A1), hereinafter simply Price R-W, Smith, and Gehlot.

20. In regard to claim 5, 8, Price R-W teaches a method for identifying and registering a vehicle. Price R-W does not teach transmitting the vehicle identification and registration information to the vehicle to replace the data stored in the vehicle if the vehicle identification and registration information is new. However, Gehlot teaches transmitting the vehicle identification and registration information to the vehicle to replace the data stored in the vehicle if the vehicle identification and registration information is new (the number may be easily changed if there is a need for changing a registration number). See page 2 paragraph 21. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate vehicle registration plate of Gehlot into vehicle identification system of Price R-W because a

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combination of Gehlot's registration plate and Price R-W's system would allow user to dynamically update the registration number.

***Conclusion***

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **571-272-7793**. The examiner can normally be reached on MON-FRI from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matthew Bella** can be reached on **571-272-7778**. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tam Tran

**TT**  
Examiner

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**MATTHEW LUU**  
**PRIMARY EXAMINER**